

ORDINANCE NO. 16-

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE
CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 *Code of Alabama*, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, that the Zoning Ordinance of the City of Huntsville, Alabama, as adopted on the 21st day of March 1963, as amended, is hereby further amended as follows:

Section 1. Amend Article 92 - BOARD OF ADJUSTMENT, Section 92.5 - Powers and Duties, subsection 92.5.3(12) - Permitted Uses as Special Exceptions, by amending:

- (12) Private schools, nurseries, kindergartens and child care centers in any residential district when operated as an accessory use to any permitted use other a family dwelling, provided that the Department of Transportation concurs and that all property owners within 500 (five hundred)feet have been notified of the public hearing.

Group child care homes in all residential districts, except Residence 2-B districts, provided that the restrictions listed in Section 73.1.1 (4) have been met, that all property owners within five hundred (500) feet have been notified of the public hearing, and that such special exception shall be granted only to the applicant, shall not be transferable to any other person, firm or corporation, and shall terminate at such time as the group child care home ceases operation.

to read as follows:

- (12) Private schools, nurseries, kindergartens and child care centers in any residential district when operated in an existing non-residential structure that once housed a use allowed by right and not by variance, or when operated as an accessory use to any permitted use other a family dwelling, provided that the Department of Transportation concurs and that all property owners within 500 (five hundred)feet have been notified of the

public hearing.

Group child care homes in all residential districts, except Residence 2-B districts, provided that the restrictions listed in Section 73.1.1 (4) have been met, that all property owners within five hundred (500) feet have been notified of the public hearing, and that such special exception shall be granted only to the applicant, shall not be transferable to any other person, firm or corporation, and shall terminate at such time as the group child care home ceases operation.

Section 2. This ordinance shall take effect from and after the date of its publication.

ADOPTED this the _____ day of _____, 2016.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the _____ day of _____, 2016.

Mayor of the City of Huntsville,
Alabama